

24 MARCH 1947

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of
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1 Monday, 24 March 1947

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Court House of the Tribunal
War Ministry Building
Tokyo, Japan

The Tribunal met, pursuant to adjournment, at 0930.

Appearances:

For the Tribunal, same as before with the exception of: HONORABLE JUSTICE JARANILLA, Member from the Commonwealth of the Philippines, not sitting.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

English to Japanese and Japanese

to English interpretation was made by the Language Section, IMTPE.)

KATAKURA

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1 M A R S H A L O F T H E C O U R T : T h e I n t e r n a t i o n a l
2 M i l i t a r y T r i b u n a l f o r t h e F a r E a s t i s n o w i n s e s s i o n .

3 T H E P R E S I D E N T : A l l t h e a c c u s e d a r e p r e s e n t
4 e x c e p t O K A W A a n d M A T S U I . W e h a v e a c e r t i f i c a t e f r o m
5 t h e S u g a m o P r i s o n d o c t o r t h a t M A T S U I i s t o o i l l t o
6 a t t e n d t h e T r i a l t o d a y . T h e c e r t i f i c a t e w i l l r e c o r d e d
7 a n d f i l e d . B o t h a c c u s e d a r e r e p r e s e n t e d b y c o u n s e l .
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9 T A D A S H I K A T A K U R A , c a l l e d a s a
10 w i t n e s s o n b e h a l f o f t h e d e f e n s e , r e s u m e d
11 t h e s t a n d a n d t e s t i f i e d t h r o u g h J a p a n e s e
12 i n t e r p r e t e r s a s f o l l o w s :

13 T H E P R E S I D E N T : M a j o r B l a k e n e y

14 M R . B L A K E N E Y : O n b e h a l f o f t h e d e f e n s e I w i s h
15 t o m a k e a p p l i c a t i o n t o t h e T r i b u n a l f o r t h e g r a n t i n g
16 o f a r e c e s s o f o n e w e e k ' s d u r a t i o n t o e n a b l e t h e d e f e n s e
17 t o o r g a n i z e a n d p r e p a r e i t s c a s e . T h e r e a s o n s w h i c h
18 r e n d e r t h e m a k i n g a n d g r a n t i n g o f t h i s a p p l i c a t i o n a
19 m a t t e r o f e x t r e m e u r g e n c y t o t h e d e f e n s e w e r e f u l l y
20 s t a t e d i n t h e h e a r i n g i n c h a m b e r s o n T u r s d a y l a s t .

21 S i n c e I a s s u m e t h a t a l l M e m b e r s o f t h e T r i b u n a l
22 h a v e m a d e t h e m s e l v e s c o n v e r s a n t w i t h t h e r e c o r d o f t h a t
23 p r e c e e d i n g I s h a l l n o t r e s t a t e t h o s e r e a s o n s h e r e , b u t
24 s h a l l c o n t e n t m y s e l f w i t h s a y i n g t h a t t h e u r g e n c y i s a s
25 g r e a t a n d t h e r e a s o n s a r e a s v a l i d t o d a y a s t h e y w e r e a t

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1 that time.

2 THE PRESIDENT: How much longer can you carry
3 on without a recess, Major Blakeney? We receive this
4 application with profound regret and with great appre-
5 hension.

6 MR. BLAKENEY: I am advised by those in control
7 of the matters presently being presented that they can
8 perhaps continue to the end of this week by the calling
9 of witnesses out of their proper turn. Otherwise,
10 they are prepared to continue until the conclusion of
11 the testimony of the witness now in the box.

12 THE PRESIDENT: Will the witnesses called out
13 of turn produce affidavits?

14 MR. BLAKENEY: Preparation has not yet been
15 made to adduce their testimony in that fashion.

16 THE PRESIDENT: Suppose you get a recess of
17 seven days, how long will you be able to continue without
18 asking for further time?

19 MR. BLAKENEY: I am afraid I should not care
20 to commit myself on that, sir. We anticipate that we
21 could probably then proceed to June without difficulty,
22 but I do not wish to be understood as making any commit-
23 ment whatsoever in a matter so speculative and contingent
24 as that.

25 THE PRESIDENT: That would be something if you

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could continue to June.

1 MR. BLAKENEY: Such is our hope.

2 THE PRESIDENT: I have no doubt you are
3 cooperating to the fullest extent with the Court. I
4 do not doubt that for one moment. The Court will be
5 prepared to meet you in every reasonable way, of course,
6 on that understanding, that you will give us your
7 fullest cooperation which I do not question.

8 Will the prosecution like to say anything about
9 this?

10 Mr. Tavenner.

11 MR. TAVENNER: Your Honor, in view of statements
12 made in chambers comparing the position of the defense
13 with that of the prosecution, I think I should make
14 just one or two statements.

15 THE PRESIDENT: If you are not prepared to make
16 a statement now, Mr. Tavenner, we will hear it later.

17 This decision will be reserved, of course.

18 MR. TAVENNER: I am prepared to state now
19 all that I have to say on the subject.

20 Reference was made to a charge that the prosecu-
21 tion had quite a backlog of documents processed at the
22 time that their case began. That is not in keeping with
23 the facts. We were ahead of the time for presentation
24 of documents by just one or two days. The translation

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1 and the processing of all of the prosecution documents
2 had to be done during the course of the presentation
3 of the evidence. The Manchurian Phase of the prosecu-
4 tion's case was completed in August. It is hard for us
5 to understand why documents have not been processed
6 for the defense covering that phase of the case which was
completed by the prosecution in August.

7 THE PRESIDENT: When did the defense first get
8 the facilities for processing documents? Had they
9 to wait until you finished, that is, until you closed
10 your case?

11 MR. TAVENNER: I am not certain how soon they
12 had facilities of their own, but they were offered the
13 prosecution's facilities in the latter part of January
14 or possibly a little earlier. At times when we were
15 not so busy we suggested that they let the documents
16 come to us so that we could assist speedily. We have
17 not turned down the request for either the translation
18 or the processing of a single document.

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1 THE PRESIDENT: Of course there are nearly
2 fifty defense counsel to agree upon what documents
3 would be used.

4 MR. TAVENNER: I think there are over a
5 hundred defense counsel. I think with the assis-
6 tance of so many counsel they should have been
7 able to have agreed since August.

8 THE PRESIDENT: You think the greater the
9 number of counsel the better chance there is of
10 speedy agreement? It may suggest conflicting
11 interests, but they say they are there.

12 MR. TAVENNER: I speak from experience
13 when I say that with a sufficiently large number
14 of counsel they should be able to get the work
15 done.

16 THE PRESIDENT: If there is agreement on
17 the documents.

18 MR. TAVENNER: If they have not been able
19 to agree since August, what assurance is there that
20 they will ever agree? I am certain that we all,
21 the Tribunal, the defense counsel, and the prosecu-
22 tion view with alarm the matter of the length of
23 the trial and the time consumed in the presentation
24 of the case.

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1 THE PRESIDENT: Most of the time so far
2 has been consumed by the prosecution.

3 MR. TAVENNER: I will be very glad to give
4 your Honor some figures on that.

5 THE PRESIDENT: I should like to have them.

6 MR. TAVENNER: The two phases of the prosecu-
7 tion's case, one dealing with constitution and
8 laws, and the other with preparation of public
9 opinion for war, corresponds, roughly, to the
10 first division of the defense's case. The time con-
11 sumed by the prosecution in the presentation of those
12 two phases, including matters that they were respon-
13 sible for originating in the way of making arguments,
14 was twenty-one hours and seventeen minutes, while
15 that of the defense was thirty-one hours and eight
16 minutes, a total of fifty-two hours and twenty-five
17 minutes.

18 In this first general division of the
19 defense phase the defense took forty-eight hours and
20 forty-three minutes to present their part of it,
21 and the time consumed by the prosecution in cross-
22 examination and making objections and the argument
23 of those objections was twenty-two hours and thirty-
24 two minutes, a total of seventy-one hours and fifteen
25 minutes; and we are advised that there are about

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1 five witnesses yet to be heard -- at least they were
2 on the order list -- and there are numerous docu-
3 ments yet to be presented. On the basis of the
4 time actually consumed by both the prosecution and
5 the defense in these phases, the defense has con-
6 sumed thirty-four per cent more time than was used
7 in the prosecution's original phase of the case.
8 The percentage of increase of time consumed by the
9 defense in its phase over the time consumed by
10 the prosecution in its phase is one hundred twenty-
11 eight per cent, based on the figures I gave.

12 Now, we think this is an alarming situation
13 and we want to object, of course, to any procedure
14 that will further delay matters. If there is a
15 break down, as a matter of fact, in the presentation,
16 possibly there is nothing to do other than to grant
17 a reasonable continuance. We thought we should take
18 this opportunity to express our alarm at the situa-
19 tion.

20 THE PRESIDENT: That we should go on until
21 there is a break down? Will that improve the situa-
22 tion? We must pursue the best course. Is that it?

23 MR. TAVENNER: I am not prepared to say
24 that it is. If it is the intention of the defense
25 to put on witnesses merely to see how long they can

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1 stay on the witness stand without having their work
2 organized, we are losing time instead of saving it
3 unless during that period of time they can catch
4 up on their other work so that the case will con-
5 tinue without any adjournment.

6 THE PRESIDENT: We desire to avoid poor,
7 faulty, weak examinations of witnesses taken out of
8 order. Are you opposing the application, Mr.
9 Tavenner?

10 MR. TAVENNER: No, sir. If there is a break
11 down we feel we cannot oppose a reasonable time to
12 get organized.

13 THE PRESIDENT: Do you challenge anything
14 the defense had to say about the possibility of a
15 break down this week if we do not give the recess?

16 MR. TAVENNER: No, sir, I do not.

17 THE PRESIDENT: The Tribunal will consider
18 the matter.

19 Mr. OKAMOTO.

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1 MR. T. OKAMOTO: Since the answer given on
2 Friday afternoon wasn't clear to me, I would like
3 to have the court reporter repeat the question --
4 last answer.

5 THE MONITOR: The Japanese court reporter.
6 (Whereupon, the last answer was read
7 by the Japanese court reporter.)

8 English court reporter, will you kindly
9 read the corresponding parts in English, please.

10 (Whereupon, the last answer was read
11 by the official court reporter.)

12 Correction on the last part: That a new
13 state should be created on the principle of no
14 soldiery and on the principle of not to menace
15 and not to be menaced, and thereby found a state
16 based upon the principle of the Monroe Doctrine.

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KATAKURA

DIRECT.

DIRECT EXAMINATION

1 BY MR. T. OKAMOTO (Continued):

2 Q Will you please explain, amplify, the present
3 statement concerning the state based upon the Monroe
4 Doctrine?

5 A In the opinion of Yu Chun-han, so long as a
6 state founded upon the Kingly Way was to be established
7 in the northeastern area, a state somewhat like
8 Switzerland should be established, a state without
9 arms and a state founded on the principle of not
10 menacing others or not being menaced by others. Yu
11 Chun-han's opinion further was if a national defense
12 army were to be established to protect the northeastern
13 area then, in the light of the fact that in 1929 the
14 Manchurian armies were defeated by Soviet forces with-
15 out any resistance and in the light of the fact that
16 as a result -- in the light of the fact that after
17 the outbreak of the Manchurian Incident the Manchurian
18 army forces and troops were squelched by the Japanese
19 Army, then this northeastern area must have an army
20 which can put up against both the Japanese and the
21 Russian armies.

22 Q Please don't indulge in long statements. I
23 wish to have an amplification on this Monroe Doctrine.

24 A That is all I can add with regard to the

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DIRECT

Monroe Doctrine.

1 Q As regards the attitude of the Kwantung Army
2 towards Russia, have you heard anything about this
3 problem?
4

5 A Yes, I am aware of the policy taken by
6 Commander in Chief HONJO at that time.
7

8 THE INTERPRETER: Correction on the previous
9 question: It was not the Soviet Union. "Have you
10 ever heard of the attitude of the Kwantung Army on
11 that point?" That is, with respect to the previous
12 question relating to the Monroe Doctrine.
13

14 THE MONITOR: That is right. The rest has no
15 correction.
16

17 Q What was the policy of General HONJO's, the
18 Commander in Chief of the Kwantung Army, in this respect?
19

20 A General HONJO, in the month of October and
21 in the months of October and November, issued frequent
22 statements and instructions stating that it was the
23 duty of the Kwantung Army to devote itself entirely
24 to the maintenance -- preservation of law and order,
25 that it was not to interfere in any respect with
respect to political matters, and that it should at all
times adopt an attitude of watchful silence.

Q What was the situation in Mongolia at that
time?

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1 A I think it was toward the end of September
2 that a Mongolian youth by the name of Kanyuruchapu,
3 acting as the central figure in a small force created
4 by him, attacked the Chinese troops about 250 kilo-
5 meters northwest of Mukden at a point called Tunglian
6 and there created an Inner Mongolia volunteer army --
7 autonomous army.

8 Q Now, at that time was there any movement set
9 up in Harbin by a general by the name of Chang Chin-hui?

10 A General Chang Chin-hui was a director of the
11 Chinese Eastern Railway. General Chang Chin-hui was
12 in the vicinity of Mukden at the time of the outbreak
13 of the incident and immediately after the outbreak of
14 the incident he returned to Harbin and, together with
15 Ting Chao and Wang Lui-hua, who was a police chief,
16 declared independence. However, because of the fact
17 that General Chang Chin-hui, unlike men like Hsui Hsia
18 and Yu Chih-shan, did not have any arms, his proclama-
19 tion of independence was a very weak one.

20 Q Was there any problem at that time with
21 regard to the activities of Pu-Yi, Henry Pu-Yi?

22 A On the 13th of November Pu-Yi returned to
23 Manchuria.

24 Q Please reply in a softer voice, please.
25 What happened then?

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1 A Pu-Yi landed at Yingkow on the 13th.

2 Q Do you know anything about the circumstances
3 under which Pu-Yi came to Manchuria?

4 A Yes, I know the circumstances as observed
5 by the headquarters of the Kwantung Army.

6 Q Please tell us about that.

7 A As I said last week, Luo Chen-yu returned from
8 Kiren on the 26th of September and reported Hsui Hsia
9 and Chang Haipen were both entertained a desire to
10 see the restoration of the monarchy, and on the 27th,
11 that is the following day, Lou Chen-yu departed for
12 Tientsin by way of Dairen. At the first of October
13 there was a sudden communication from the headquarters
14 of the Tiensin garrison. That communication was
15 to the effect that Henry Pu-Yi was willing to go to
16 Manchuria if he had the support of the thirty million
17 people inhabiting that area and if he were to go on
18 the understanding that the Japanese would support him
19 in his return to Manchuria, but that he felt that it
20 was not yet the time for him to go. About this time
21 we were in receipt of an information that Chin-liao,
22 who was a central figure in the Lianning Committee for
23 the Maintenance of Peace and Order had gone to Tientsin
24 with the aim of carrying on a movement to bring Pu-Yi
25 into Manchuria. Therein clamor and voices in support

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of the restoration was heard from Dairen and various
1 parts of Manchuria.

2 Q What did the Kwantung Army do in this respect?

3 A I think it was in the latter part of October --
4 I forgot the exact date -- Colonel DOHIHARA was called
5 to Tientsin -- was dispatched to Tientsin.

6 Q What was the mission given to Colonel DOHIHARA?

7 A Colonel DOHIHARA was dispatched to Tientsin
8 at the personal will and intention of General HONJO
9 himself and had no connection whatsoever with the
10 general staff office or the War Ministry in Tokyo.

11 Generally there were two assignments given to DOHIHARA
12 in his trip to Tiensttin.

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1 Q Please tell us about that.

2 A One of those assignments was the collection
3 of intelligence with regard to the Tientsin-Peiping
4 area. The second assignment given Colonel DOHIHARA
5 was to study proper measures to be taken in the
6 event that the Chang Hsueh-liang regime, which was
7 then quartered in Chin-chou, should move south of
8 the Great Wall into China proper. And one of those
9 duties was to observe into the possible attitude that
10 might be taken by Chinese generals in the Peiping-
11 Tientsin area in the event that the Chang Army,
12 that is, the army of Chang Hsueh-liang, should with-
13 draw in the direction of Tientsin. Another was an
14 entirely military study around the question that
15 if in case the Chang Hsueh-liang Army should withdraw
16 into North China, and in the event that the Chang Army
17 should clash with the Japanese forces there, and in
18 the event as a result if the Kwantung Army -- the
19 services of the Kwantung Army would be necessary, what
20 the Japanese side should do in such an event. That
21 was one of the assignments given to him, the study
22 of purely military problems. And in such a case,
23 because of the fact that there were all kinds of
24 clamor and voices heard in the Tientsin-Peiping area
25 at that time, to sound out with what kind of feeling

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1 Pu-Yi would or would not like to go to Manchuria.

2 Especially with respect to this third point
3 relating to Pu-Yi's return to Manchuria, General HONJO
4 gave very strict instructions to Colonel DOHIHARA
5 not to make any commitments whatsoever as to whether
6 or not Pu-Yi was to become chief executive or
7 Emperor of Manchuria.

8 Q From what you have told me, I have gathered
9 these words: that Colonel DOHIHARA was dispatched
10 in accordance with the personal views entertained
11 by General HONJO.

12 THE MONITOR: That is, went to Tientsin at
13 the personal orders of General HONJO.

14 A It was the orders of Commander-in-Chief
15 HONJO of the Kwantung Army in accordance with the
16 carrying out of his official duties, and so it was
17 the personal orders of General HONJO in his official
18 capacity, but not in his private capacity. Not only
19 with respect to Colonel DOHIHARA but with respect
20 to other staff officers of the Kwantung Army, General
21 HONJO had the authority to dispatch them for various
22 purposes.

23 Q Were there any liaison from Colonel DOHIHARA
24 who went to Tientsin?

25 A I think it was around the first part of

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1 November that DOHIHARA contacted the headquarters
2 of the Kwantung Army reporting that Pu-Yi would like
3 to go to Manchuria as soon as possible and that Pu-Yi,
4 himself, entertained the idea that if he went, the
5 problem of Ma Chan-shan would be settled and that
6 the people of Mongolia would come under his following,
7 that is, would support him; and that he would like to
8 establish his government in Kirin. At the same time
9 Colonel DOHIHARA inquired what he should do in view
10 of the fact that the Japanese Consul-General KAWASHIMA
11 in Tientsin was opposed to Pu-Yi's going to Manchuria.

12 Q Please use shorter sentences. What steps
13 did the Kwantung Army take?

14 A Thereupon, the Chief or Staff of the Kwantung
15 Army, MIYAKE, instructed DOHIHARA to put the matter
16 off because of the fact that there was still various
17 unsettled military problems in Nun-Kiang in Hei-lung-
18 kiang Province.

19 Q What did Colonel DOHIHARA do after this?

20 A Right after that DOHIHARA sent another
21 communication to the headquarters of the Kwantung
22 Army reporting that Pu-Yi wanted to cross the Liao-Ho
23 before it froze.

24 Q What happened after that?

25 A The Kwantung Army's attitude then underwent

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1 no change and the same instructions were issued again.

2 Q Then?

3 A I think it was around on the night of the
4 11th of November that a telegram came from the
5 Tientsin Army to the effect that it was moving on
6 to Yingkow on the morning of the 12th--to the fact
7 that Pu-Yi was going to Yingkow on the morning of
8 the 12th and therefore asked the Kwantung Army to
9 do what it could for him. This was to enable
10 Pu-Yi to escape from an uprising which had occurred
11 in Tientsin from around the 8th of November. On
12 the 12th a messenger was dispatched to Yingkow to
13 receive Pu-Yi, but since Pu-Yi did not land, this
14 messenger returned. Pu-Yi landed on the 13th, that
15 is, on the following day unexpectedly.

16 Q Then what steps did the Kwantung Army take
17 with respect to Pu-Yi?

18 A Because of the fact that Pu-Yi landed without
19 any previous advice and suddenly on the 13th, the
20 Kwantung Army was at a loss as to where to put him
21 up. He was taken to a hot spring called Tang-kantzu
22 near An-shan.

23 Q What happened after that?

24 A Thereupon, there was a sudden unexpected
25 attack by Manchurian bandits on Tang-Kantzu. Although

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1 Pu-Yi was desirous of going to Kirin and Hsi-Hsia
2 was also anxious to have Pu-Yi come to Kirin, and
3 because of the fact that the Kwantung Army had very
4 rigid and strict instructions from the central
5 authorities, it decided to bring Pu-Yi to Port
6 Arthur for preliminary consultations before making
7 any decisions.

8 THE INTERPRETER: A slight correction.

9 A (Continuing): The Kwantung Army, because of
10 strict instructions from the central authorities,
11 decided to take Pu-Yi to Port Arthur to segregate
12 him from the various factions which were interested
13 in him.

14 Q Orders from the central authorities to
15 which you refer now, what were they?

16 A It was towards the end of September or the
17 early part of October that General SUGIYAMA, Vice
18 Minister of War, acting on the orders of the War
19 Minister MINAMI, telegraphed instructions that the
20 Kwantung Army should not in any way connect itself
21 with the movement to restore the monarchy in Manchuria.

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(Direct)

E 1 Q What was the attitude of the Manchurian
d 2 people with regard to the arrival of Pu-Yi in
r 3 Manchuria?

& 4 A I am aware to some extent on that question.
B 5 Q Please explain simply.

R 6 THE PRESIDENT: Mr. Tavenner.

T 7 MR. TAVENNER: Your Honor, about two
o 8 questions back the witness referred to a telegram
n 9 that was received regarding Pu-Yi. As there was
t 10 no question asked to bring it within the rule
o 11 announced yesterday, I desire that that answer be
n 12 struck, and so move.

13 THE PRESIDENT: Whether you object or not,
14 we will not treat any of these answers as evidence
15 of the contents of any document. Independently of
16 the attitude of counsel the Court has a duty to
17 give such effect only to this evidence as it should
18 have according to the rules that we understand and
19 apply. I say that once for all time. It will be
20 understood that that is so throughout the trial.

21 Q Please tell us very simply the attitude
22 of the Manchurian people with regard to the presence
23 of Pu-Yi in Manchuria.

24 A Chang Hai-pen, of Taonan, made a monetary
25 presentation of 200,000 yuan to Pu-Yi, and also

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1 sent an emissary to welcome Pu-Yi to Manchuria.
2 Chang Hai-pen, of Taonan, sent a very prominent
3 emissary to Port Arthur to welcome Pu-Yi.

4 Q Isn't there anything else?

5 A Yes. We are in receipt of information
6 that a Chinese by the name of Lao Tan-yan went to
7 see Pu-Yi and talked to him, which was a little
8 later on.

9 Q How about the Mongolians?

10 A Ling Sheng, son of the chief of a tribe
11 in Kulunbur, called on Pu-Yi at Port Arthur.

12 Q What treatment did the Kwantung Army accord
13 to Pu-Yi?

14 A Pu-Yi was placed under protection in Port
15 Arthur, under the protection of the administrative
16 office of the Kwantung leased territory, and the
17 Kwantung Army took such action upon consultation
18 of the Consul General and the administrative office
19 of the territory, and prohibited any interviews
20 between Pu-Yi and Japanese.

21 Q How about his interviews with Manchurians?

22 A Pu-Yi's meeting with Manchurians was free
23 to the extent that no personal harm would be caused
24 upon him. That was the regulation adopted by the
25 administrative government office for the Kwantung

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1 leased area -- territory.

2 Q In what sort of a place did Pu-Yi stay
3 in Port Arthur?

4 A At the Yamato hotel.

5 Q Does the witness know anything about the
6 guidance of autonomy -- self-government guiding
7 board, which had just come into existence about
8 then?

9 A Yes, I am aware of the provincial self-
10 government guiding board.

11 Q What were the relations between this body
12 and the Kwantung Army?

13 A As far as the Kwantung Army is concerned
14 it was merely to the extent that the third section
15 of the Kwantung Army headquarters dealing with
16 preservation of law and order, and the fourth
17 section of the same headquarters, dealing with press
18 relations, merely contacted this body.

19 Q Were there any facts to the effect that
20 merely officers of the Kwantung Army were in any way
21 connected with this body?

22 A No.

23 Q Was there any fact to the effect that
24 money was given to this body by the Kwantung Army?

25 A No. I have heard, however, that the

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1 committee for the maintenance of law and order for
2 Liaoning Province gave money to this body.

3 Q Does the witness know anything about the
4 independence of the Liaoning provincial government?

5 A Yes.

6 Q Please state to us very simply.

7 A On the third of November after Yu Chun-han
8 had an interview with General HONJO -- met Yuan
9 Chin-kai -- Yu Chun-han, giving every support to
10 Yuan Chin-kai, had the latter change the name of the
11 Liaoning committee for the maintenance of law --
12 peace -- and order, into the Liaoning public --
13 Liaoning public office, and had him proclaim the
14 independence of that province.

15 THE PRESIDENT: That is repetitive.

16 A Member of the Court has made a calculation
17 based on the prosecution's figures and it appears
18 that the defense are taking twenty-five per cent
19 more time. That is alarming. But, as he points
20 out, of course there are only five defense phases,
21 as against twelve prosecution phases. Moreover,
22 the time devoted by the defense to such phases as
23 atrocities and tying-in can be expected to be
24 negligible. Then, of course, we have the individual
25 accused to hear.

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1 But the time we have wasted on this witness,
2 who has taken days or will take days, where hours
3 should suffice if we had an affidavit, strongly
4 stresses the point that we should have affidavits
5 in all cases. The defense will not be prejudiced
6 by affidavits.

7 Despite the efforts of this Japanese counsel
8 this witness is most discursive, as most Japanese
9 witnesses are.

10 MR. BROOKS: Mr. President, the evidence
11 that the defense is putting in now will represent
12 approximately two thirds of our case, whereas this
13 that the prosecution put in was just the commencement
14 of theirs, and, as you will see, there are fewer
15 phases, but most of our evidence will be put in in
16 the general phase, almost two-thirds of it.

17 THE PRESIDENT: We will recess for fifteen
18 minutes.

19 (Whereupon, at 1045, a recess was
20 taken until 1100, after which the proceed-
21 ings were resumed as follows:)

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THE PRESIDENT: I have received a memorandum signed by certain members of the press pointing out that the distribution of copies of the proceedings in chambers has been stopped. I gave no directions preventing the distribution of proceedings in chambers, but I did say that according to the British tradition in which I am steepled, the publication of proceedings in chambers is contempt of court.

Mr. OKAMOTO.

BY MR. OKAMOTO (Continuing):

Q Mr. Witness, have you ever read the Lytton Report?

A Yes, the Japanese translation of the report.

Q According to the Lytton Report, there is a statement to the effect that General Tsang Shih-yi, who was stationed in Mukden at that time, was held under the custody of the Kwantung Army.

A Yes, I recall that statement in the report.

Q Do you know whether that was a fact or not?

A I have never heard that he was ever held in custody.

Q Do you know anything about the events leading to the appointment of General Tsang Shih-yi to the chairmanship of the provincial government of Mukden?

A I do.

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Q Please tell us very simply.

1 A Tsang Shih-yi is a native of Fengtien Province,
2 that is, Mukden Province, and at first he did not make
3 up his mind. But with the support and at the persuasion
4 of Chao Chin-po, Ting Chin-hsiu and Yu Chun-han, he
5 accepted the post of provincial governor.

6 Q Were there any instructions from the
7 Commander-in-Chief of the Kwantung Army, General HONJO,
8 concerning the Manchurian Incident?

9 A Yes, there was an important direction issued
10 to the Chief of Staff, MIYAKI, and other departmental
11 chiefs.

12 Q Please tell us what you heard then.

13 A There were four points in the policy and aim
14 as instructed by General HONJO. One point concerned
15 the separation of the Chang Hsueh-liang regime from
16 the Nanking government. Another was his observations
17 on the establishment of various regimes in various
18 areas in Manchuria. One was his ideas with regard to
19 the foremost and prominent leaders of Manchuria.
20 The fourth point was the Japanese attitude and state
21 of mind with regard to the settlement of the incident --
22 preparations.

23 Q What do you mean by the severance of relations
24 with the Chang Hsueh-liang regime from the Nanking

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government?

1 A That was the idea that in the light of the
2 development of the situation in Manchuria at that time,
3 there was no room for the return of Chang Hsueh-liang
4 to Manchuria; and also that the coming of the authority
5 of the Nanking government into the area would worse
6 confound the situation there; that there was no alter-
7 native in order to establish that as far as Yu Chun-han
8 was concerned he believed there was no alternative
9 but to establish an independent state in order to
10 found a state calculated to promote the well-being
11 and security of the people in that area -- that there
12 was no alternative but to have men like Yu Chun-han
13 establish an independent state in order to secure
14 the well-being of the people in that area.
15

16 Q Will you please explain the second point;
17 namely, the establishment of independent regimes in
18 various districts?

19 A The second point in the instructions issued
20 by General HONJO, that in regard to the various
21 independent movements in Manchuria no outside power
22 should be exercised or no outside interference should
23 be given -- no outside support should be given nor any
24 outside interference exercised, but that time was
25 necessary in order to settle the incident there. That

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1 is to say, that outside pressure should not be applied
2 merely for the sake of trying to settle the issues
3 there as promptly as possible.
4

5 Q The third point, namely, the problem of the
6 highest leaders in Manchuria and Mongolia?
7

8 A The third point in the instructions of
9 General HONJO, that in order to found a new regime in
10 Manchuria they should not stick to any one person such
11 as Pu-Yi but should give full consideration to the
12 public opinion of the thirty million inhabitants of
13 the area.
14

15 Q And now for the fourth, namely, the mental
16 preparation of the Japanese; what were they?
17

18 A The fourth point in the instructions of
19 General HONJO was in order to secure Japanese interests
20 there, it was necessary to promote collaboration
21 between Japan and China, to foster a feeling of harmony
22 and cooperation between the Japanese and Chinese
23 peoples and thereby to establish their relationship
24 on a long-term or long-range basis and thereby to uproot
25 the evils interfering with the promotion of such rela-
tionships.
26

27 Q Where did the Chang Hsueh-liang regime have
28 its headquarters?
29

30 A In Chin-chou.
31

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Q What was the situation around Chin-shou then?

1 A The regime established itself in the vicinity
2 of Chin-Shou, and there the Chang Hsueh-liang forces
3 increased its numerical strength and prepared trenches
4 in and around that area.

5 Q Do you know that there was rioting in
6 Tientsin towards the end of November?

7 A Yes, I know.

8 Q What steps did the Kwantung army take with
9 respect to this?

10 A I am aware of those steps.

11 Q Please tell us very simply the steps taken
12 by the Kwantung Army.

13 A I think it was the 26th of November when
14 the commander of the Tientsin garrison sent a tele-
15 graphic communication to the Kwantung Army asking for
16 reinforcements in view of the military uprising which
17 had occurred in Tientsin.

18 Q What did the Kwantung Army do?

19 A Commander-in-chief HONJO made a decision
20 to bring a part of the forces in Hsin Min to Mukden.
21 Correction: Commander-in-chief of the Kwantung Army
22 HONJO decided to bring a part of the forces at Mukden
23 to Hsin Min, and then to bring back the second division
24 stationed at Tsitsihar to Mukden.
25

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Q And then?

1 A And thereafter he began preparations for
2 advance toward Chin-chou.

3 Q Then, am I to take it that they advanced to
4 Chin-chou?

5 A The troops which were dispatched to Hsin Min
6 were called back after they had gone part of the way.

7 Q What were the reasons therefor?

8 A There were two directions: One a communica-
9 tion from the commander of the Hsin Min garrison
10 that the military uprising in the Tientsin area had
11 relaxed, and also from the central authorities saying
12 that dispatch of troops must not be carried out.

13 Q What were the deployment of the Kwantung
14 troops which were dispatched at that time to Chin-chou --
15 at the time that troops were dispatched to Chin-chou
16 and withdrawn?

17 A About two battalions at Tsitsihar, in and
18 around Tsitsihar; other units were for the most part
19 concentrated along the railway zone attached to the
20 South Manchuria Railway.

21 Q Are you aware of the fact that vice-chief of
22 staff NINOMIYA visited in Manchuria at that time?

23 A Yes, I do.

24 Q For what reasons did General NINOMIYA go to

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Manchuria?

1 A Liaison for the general staff office in Tokyo,
2 and study of the situation in Manchuria.
3

4 Q Were there any differences of opinion between
5 the Kwantung Army and the central authorities?
6

7 A Yes. Opinion, or the views of the Kwantung
8 army were submitted very frequently to the central
9 authorities, and there was a difference of opinion
resulting therefrom.

10 Q Was there any relation with this fact when
11 General NINOMIYA went to Manchuria?

12 A Yes, related.

13 Q Please tell us about that briefly.

14 A Public rumors afloat at that time was to the
15 effect that the Kwantung Army -- there were officers
16 in the Kwantung Army entertaining very strong views,
17 including desire to put the commander-in-chief under
18 confinement, or to the effect that the younger staff
19 officers of the Kwantung Army were disptaching mes-
20 sages to Tokyo by themselves without the approval of
21 their senior officers. It was the desire of the Kwan-
22 tung Army to have General NINOMIYA understand that all
23 important documents and telegrams sent out by the
24 Kwantung Army have the approval and authorization of
25 not only the commanding general of the Kwantung Army,

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1 but also its chief of staff, and the commander-in-
2 chief of the Kwantung Army explained the situation
3 and had this situation understood by General NINOMIYA.

4 Q From your observation, Mr. Witness, what
5 sort of man was the commander-in-chief, General
6 HONJO?

7 MR. TAVERNER: If your Honor please--

8 A A very strict disciplinarian and meticulous
9 as to details. A very serious person. He was strict
10 in the conduct of business and very meticulous as
11 to details.

12 MR. TAVERNER: I had arisen to object to
13 the question and answer. So I will now confine my
14 objection to this type of cross-examination, as it is
15 certainly irrelevant and immaterial to any issues.

16 THE PRESIDENT: It would not be allowed in
17 any court that I have been associated with. But it
18 doesn't follow that it would be disallowed here.

19 I think the objection is well taken.

20 Q Does the witness know anything about the
21 situation in China at that time -- that is, on the
22 Chinese side?

23 A You mean China proper?

24 Q In the Chang Hsueh-liang regime.

25 A In the Chin-chou area plain clothes men,

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1 brigands and various police attempted to create dis-
2 turbances and uprisings in southern Manchuria, that is,
3 police which had turned into brigands.

4 Q Does the witness know anything about the
5 proposal to set up a neutralized zone?

6 A Yes, I know of a proposal made by the
7 Chinese side.

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1 Q What steps were taken in respect to this?

2 A Negotiations were begun by Nanking and other
3 parties concerned but this proposal was withdrawn as
4 a result of our withdrawal of troops from Hsin-Min.
5 That is, these negotiations were conducted at Nanking
6 but the proposal was withdrawn because of Japanese
7 troop withdrawals from Hsin-Min.

8 Q What was the bandit situation then --
9 situation with respect to banditry?

10 A In the railway area south of Mukden there
11 were during the month of November about one thousand
12 occurrences of bandit action along the railway zone
13 involving ten some odd thousands bandits.

14 Q Do you know anything further about the
15 situation in and around Chin-Chou?

16 A In the bandit armies in and around Chin-Chou
17 there were soldiers of the regular army in plain clothes
18 and along the first line there were soldiers on both
19 banks of the Liao-Ho River. The first line of these
20 forces extended to the Liao-Ho.

21 Q What steps did the Kwantung Army take in
22 view of this situation?

23 A The Kwantung Army sent its opinions and views
24 to the Central authorities with regard to the possible
25 withdrawal of the Chang Hsueh-liang regime from Chin-Chou

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1 to south of the Great Wall or into China proper,
2 and the Kwantung Army itself had ideas on how to
3 meet the situation.

4 Q What attitude did Tokyo take with respect
5 to this?

6 A As for the Tokyo Government, the Japanese
7 Minister in Nanking and the Japanese Consular and
8 Embassy in Nanking as well as the military attache
9 began negotiations with respect to withdrawal of forces
10 from Chin Chou.

11 Q Is the witness aware of the fact of any
12 changes -- do you know that the policy of the Central
13 authorities in Japan changed?

14 A In the first part of November Chang Hsueh-
15 liang promised to withdraw but did not carry out this
16 promise.

17 Q What steps were taken then?

18 A At that time from notification from Tokyo
19 and other sources we learned that the Japanese Govern-
20 ment had made an important proposal to the League of
21 Nations with regard to punitive measures against
22 bandits.

23 Q What steps did the Kwantung Army take then?

24 A The Kwantung Army about this time formulated
25 a plan to dispatch a military emissary directly to the

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1 Chin-Chou regime.

2 Q What sort of emissary was this -- military
3 emissary was this?

4 A One of the purposes of the military emissary
5 was to have the Chin-Chou regime stop its attempts
6 and policies to create disturbances and uprisings in
7 Southern Manchuria, and the other purpose was to re-
8 quest the Chin-Chou regime to withdraw but this plan
9 proved a failure.

10 Q What attitude did Tsang Shih-i of the
11 Fengtien province take?

12 A Tsang Shih-i dispatched his right-hand man
13 to Peiping to request Chang Hsueh-liang to withdraw
14 his forces from Chin-Chou.

15 Q Do you know anything about the attitude
16 taken by Chang Hsueh-liang as a result of this?

17 A At first he agreed to withdraw to Japan
18 but he did not carry that agreement out.

19 Q Please tell us very briefly the steps taken
20 by the Kwantung Army?

21 A The Kwantung Army devoted its efforts to re-
22 store and preserve law and order in the area east of
23 the Liao-Ho River.

24 Q Do you know the fact that there was a change,
25 political change, in Japan at that time?

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1 A Yes.

2 Q Was there any collision between the Kwantung
3 Army and the forces of Chang Hsueh-liang at that time?

4 A Yes, there was a collision between the Chang
5 army and the Kwantung Army east of Yinkow -- west of
6 Yinkow, at a place called Tien-Chuan-Tai.

7 Q Please state briefly what steps were taken
8 by the Japanese Government and the Kwantung Army as
9 a result of this incident?

10 A The Japanese Government issued a statement
11 on the 27th of December and on the following day, the
12 28th, the Kwantung Army crossed the Liao-Ho River
13 line and began a punitive expedition against the
14 brigands, against the banditry in that area.

15 Q What happened as a result of this operation
16 around Chin-Chow area?

17 A Without much resistance the enemy retreated.

18 Q How was this last measure taken -- what steps
19 were later taken with regard to the aftermath?

20 A A part of the 20th division engaged in the
21 revival and preservation of law and order in and around
22 Chin-Chou and later officials from Mukden arrived to
23 take over that task.

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Q What was the deployment of the Kwantung
1 Army at that time?

2 A After part of the Kwantung forces entered
3 Chin Chou the forces were divided, and generally
4 the work of the Kwantung Army was devoted to the
5 preservation and maintenance of law and order in
6 the South Manchurian area.

7 Q Do you know anything about the situation
8 concerning Koreans at that time?

9 A Various Koreans who were in prison were
10 released, and a large number of Koreans in Chien-
11 Tao entertained high hopes as to their future.

12 Q What was the situation in Mongolia?

13 A About the middle of December various
14 Mongolians met at Tai-lai, located midway between
15 Tao-nan and Tsitsihar, and as a result of consulta-
16 tions among the leaders of the Mongolians, at the
17 end of December decision was made to create an
18 independent autonomous regime for Mongolia, at a
19 conference held at Chen-Chia-Tun.

20 Q Do you know anything about the situation
21 existing in North Manchuria at that time?

22 A There were internecine struggles between
23 General Hsi Hsia and a number of persons such as
24 Li-Tu and Ting-Chao who were not on good terms with

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him.

1 Q Did you receive any information concerning
2 this from Harbin?

3 A Yes, sir.

4 Q What information was this?

5 A It was information to the effect that
6 Ting-Chao and Hsi Hsia after bringing Chang Chan-hui
7 under custody would establish their lines east of
8 Harbin and resist Kirin.

9 Q Did you receive any information concerning
10 this from Japanese residents in Harbin?

11 A As a result of that action on the part of
12 Hsi Hsia the Kirin Army, under the leadership of
13 Yu-Shen-Cheng, started an attack in the direction
14 of Harbin, as a result of which we received messages
15 from Harbin asking for the dispatch of forces for
16 the purpose of protection -- that is, for the
17 purpose of protecting the Harbin area.

18 Q Did the Kwantung Army dispatch any troops?

19 A Yes, a part of its forces were dispatched
20 with an understanding with the authorities in
21 Tokyo.

22 Q Previously, Mr. Witness, you said that
23 there were strict orders from Tokyo to the effect
24 that troops were not to be dispatched. Was this an

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1 exception, then, to this rule?

2 THE MONITOR: Troops were not to be dis-
3 patched to Northern Manchuria. Isn't this in-
4 consistent with your present statement?

5 A Yes, there was a difference between the
6 situation in Manchuria and the Japanese Government
7 policy toward that situation as it existed in
8 September and the situation as it existed in Manchuria
9 ~~at that time~~ and the Japanese position with regard
10 to the protection of its interests there and the
11 Japanese Government's policy in this area.

12 Q Please tell us briefly concerning the
13 dispatch of troops by the Kwantung Army at that
14 time?

15 A With regard to the dispatch of troops to
16 Harbin, an understanding was sought with the
17 authorities of the Chinese Eastern Railways with
18 regard to the use of the southern lines of that
19 railway through the Japanese consul general at
20 Harbin, and two battalions were dispatched to that
21 area in accordance with this understanding.

22 Q Do you recall the dates of the dispatch
23 of troops to Chin-Chou and Harbin to which you
24 testified sometime ago?

25 A Yes, I do.

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1 Q What was the date of the dispatch of
2 troops to Harbin?

3 A Troops were dispatched to Harbin toward
4 the end of January, 1932.

5 Q And the dispatch of troops to Chin Chou?

6 A The end of December, 1931.

7 Q Had the Government of Japan changed then?

8 A Yes.

9 Q What cabinet was it then?

10 A The INUKAI Cabinet.

11 Q What was the measures adopted after the
12 dispatch of troops to Harbin, after Japanese
13 troops entered Harbin?

14 A The policy was adopted not to use Japanese
15 troops for the preservation of law and order within
16 the city of Harbin. That job was entrusted to
17 Chinese hands. The main job of the Japanese
18 forces was to check the retreating of the forces of
19 Ting-Chao.

20 Q What happened to this Ting-Chao?

21 A Ting-Chao returned to the Manchurian side
22 and was made provincial governor of An-Tung and
23 councilor of Manchukuo.

24 Q Were there any other officers who pledged
25 allegiance to Manchuria besides Ting-Chao?

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1 A Yes, there were many.

2 Q What happened to those soldiers who
3 surrendered?

4 A Defeated and surrendered soldiers were
5 received and employed in the Manchurian -- in the
6 Manchukuo Army or in the Manchukuo police, or were
7 absorbed into general civilian life.

8 Q Were there any questions as to the prison-
9 ers of war camps?

10 A There were no prisoners of war. There
11 were no such things as prisoners of war.

12 Q And the reasons therefor?

13 A At that time the Japanese attitude was,
14 those who took a hostile attitude toward the
15 Japanese forces would be punished, but those who
16 had ceased resistance would be welcomed and ab-
17 sorbed into ordinary Manchurian life. They were
18 not treated at all as prisoners of war.

19 Q Were there any discussions or arrangements
20 made between the central Japanese authorities and
21 the Kwantung Army at or about January, 1932?

22 A Yes.

23 Q What kind of consultations?

24 A At the request of the general staff office
25 in Tokyo the Commanding General of the Kwantung

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1 Army had Colonel ITAGAKI make a trip to Tokyo.

2 Q What mission did he have then?

3 A The purpose of Colonel ITAGAKI's trip
4 was to try and explain the conditions within the
5 Kwantung Army and the situation as it was then
6 developing in various parts of Manchuria, and at
7 the same time to have the central authorities
8 understand the determination and will of General
9 HONJO.

10 Q What was this determination of Commander
11 in Chief HONJO?

12 A It was the expression of a very important
13 determination on the part of General HONJO that in
14 the light of the independence movements then
15 developing in Manchuria there was no way out to
16 settle the Manchurian issues other than to settle
17 them in accordance with this independence movement
18 as it gained maturity.

19 THE PRESIDENT: We will recess until
20 half-past one.

21 (Whereupon, at 1200, a recess was
22 taken.)

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25

AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330, Justice Delfin Jarenilla, Member from the Commonwealth of the Philippines, not sitting.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. OKAMOTO.

Apparently he has finished his examination in chief.

Mr. Tavenner.

MR. T. OKAMOTO: I am sorry I am late.

TADASHI KATAKURA, called as a witness on behalf of the defense, resumed the stand and testified through Japanese interpreters as follows:

DIRECT EXAMINATION

BY MR. T. OKAMOTO (Continued):

Q Mr. Witness, you were testifying about a resolution of Commander-in-Chief HONJO.

MR. T. OKAMOTO: Japanese Court Reporter,
will you read that part of the answer, please?

24 (Whereupon, the last answer was read
25 by the Japanese Court Reporter.)

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1 THE MONITOR: Will the English Court
2 Reporter read the corresponding part of the last
3 answer, please?

4 (Whereupon, the last answer was read
5 by the official court reporter.)

6 Q That determination or decision by General
7 HONJO -- was it a recommendation made to the Central
8 Government?

9 A That was an expression of the Commanding
10 General HONJO's resolve in the light of the objec-
11 tive situation then prevailing.

12 Q Do you know anything which became a ground
13 for General HONJO's determination?

14 A Yes, I do.

15 Q Will you explain it briefly?

16 A While on the one hand General HONJO held a
17 conversation with Yu Chun-han, on the other Colonel
18 ITAGAKI made a tour of the various areas in Manchuria
19 to listen to the various views and opinions enter-
20 tained by leading people, that is, Manchurians in
21 that country. As a result of this interview between
22 General HONJO and Yu Chun-han, as well as the
23 investigation carried on by Colonel ITAGAKI to get
24 the views and opinions of leading Manchurians, it
25 became known to the people of Manchuria, that is,

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1 to the people on the Manchurian side, that we, that
2 is, Japan, or the Kwantung Army, had no intention
3 whatsoever to occupy Manchuria or to make -- or
4 that the Japanese had not -- did not entertain any
5 territorial designs on Manchuria.

6 THE MONITOR: It appears that the witness'
7 statement was not understood by the reporter. We
8 should like to have the witness repeat it.

9 A (Continued) While the people of Man-
10 churia expressed great joy after learning that it
11 was Japan's real intentions not to occupy Manchuria
12 or that Japan had no territorial designs on Manchuria,
13 at the same time these same Manchurians said that
14 they would be very much embarrassed and placed in a
15 difficult and embarrassing position if the Nanking
16 authority should come into Manchuria or if the
17 Cheng Hsueh-ling regime should return to Manchuria.

18 THE MONITOR: They were unanimous in this
19 opinion.

20 Q According to your opinion, did it become
21 the ground for the determination taken by General
22 HONJO?

23 THE MONITOR: Do you mean this to be the
24 basis for General HONJO's resolve?

25 A Yes.

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1 Q Did you hear anything personally from the
2 Commander-in-Chief, General HONJO, about his resolve?

3 A Yes, I heard from General HONJO personally
4 at a meeting of staff officers of the Kwantung Army
5 on the occasion of Colonel ITAGAKI's trip to Tokyo.

6 Q After returning from Tokyo did Colonel
7 ITAGAKI make his report?

8 A Yes.

9 Q What did he say in his report, if you know?

10 THE MONITOR: Correction: Did you hear
11 what he said in that report?

12 A I heard the report because I was present
13 at the time it was made.

14 Q Please state what you heard about that
15 report.

16 A Both the War Ministry and the General Staff
17 Office understood the situation prevailing in Man-
18 churia, but there was no intention whatsoever on
19 the part of ARAKI and other military authorities as
20 to the establishment of an independent state. How-
21 ever, both the War Minister and General Staff authori-
22 ties were -- understood that the Cheng regime could
23 not be set up -- could not return to Manchuria,
24 nor that the Nanking authority could be established
25 in Manchuria. However, it was the intention of the

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1 Central authorities in Tokyo to see to it that law
2 and order was revived, preserved, and maintained in
3 the various parts of Manchuria, together with the --
4 in accordance with the movement then spreading in
5 Manchuria toward autonomy and independence. Slight
6 correction: it was the intention of the Tokyo
7 authorities by keeping -- by having the Kwantung
8 Army on the spot keeping in close contact with the
9 various local regimes to keep and preserve law and
10 order in various parts of Manchuria.

11 Q Were there any other occurrences about
12 liaison with Tokyo outside of what you have just
13 stated?

14 A During the absence of Colonel ITAGAKI from
15 Manchuria, that is, while he was in Tokyo, General
16 HONJO held an important interview with Ambassador
17 YOSHIZAWA, who was en route back to Tokyo from
18 Geneva by way of Manchuria. Addition: And general
19 HONJO transmitted an important message to the
20 Ambassador.

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1 Q Were you present when conversation was
2 carried out between the two?

3 A Chief of Staff MIYAKE, Lieutenant Colonel
4 ISHIHARA and I were present at that interview.

5 Q What did Commander HONJO tell on that
6 occasion?

7 A Generally, he mentioned three points.

8 Q Please explain them briefly.

9 A Something to the effect of which I have
10 already testified, that is, that the point with
11 respect to the rapid maturity of the independence
12 movement in Manchuria and General HONJO's idea that
13 the settlement of the situation in Manchuria should
14 be settled in accordance with this movement -- with
15 the growth of this movement.

16 The second point which General HONJO
17 mentioned to Ambassador YOSHIZAWA was that in meeting
18 the situation then prevailing in Manchuria he would
19 not like to see the Manchurian issue settled as a
20 political issue between political parties for their
21 respective political -- purely private political --
22 selfish political benefits.

23 The third was General HONJO's hope that in
24 the light of the fact that the soldiers who had
25 participated and devoted their best efforts in the

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1 Incident came from fishing and farming villages in
2 Japan, he would like to see the conditions in their
3 respective -- conditions in their fishing and village
4 communities improved and thereby -- and then give
5 peace and comfort of mind to these officers and men,
6 and to have the benefit of the incident spread to
7 these villages, both fishing and farming.

8 Lastly, General HONJO added in his remarks
9 to Ambassador YOSHIZAWA that he would like to see
10 some kind of mission despatched from Japan to the
11 United States to have the American Government and
12 people understand the situation better out of his
13 personal concern for the relationships between the
14 two countries.

15 Q What reply did Ambassador YOSHIZAWA give
16 to it?

17 A Ambassador YOSHIZAWA replied saying that
18 after he had entered Manchuria on his return from
19 Geneva, it appeared to him that the curtain had gone
20 up, that the clouds seemed to have been cleared,
21 and that his feelings were now much different now
22 that he was in Manchuria than the feeling that had
23 overcome him while he was in Geneva and that he
24 has now a pretty good grasp of the situation in
25 Manchuria and that he would do his best after he

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1 returned to Japan in carrying out the hopes and
2 desires of General HONJO.

3 Q Please state, if you know, the activities
4 and entourage of Pu-Yi at that time.

5 THE MONITOR: People close to Pu-Yi.

6 A Yes, I am informed.

7 Q Please explain briefly on it.

8 A It appears there was some disagreement of
9 views between the group centered around Cheng
10 Hsiao-hsu and the group centered around Lo Chen-Yu.

11 Q What was the difference in views between
12 the two?

13 A It was Lo Chen-Yu's contention that if
14 Pu-Yi was to be brought back to Manchuria, the
15 Manchurian dynasty must be restored or that Pu-Yi
16 should be set upon the throne. The Cheng Hsiao-hsu
17 group entertained the idea that it would be all
18 right if Pu-Yi became the highest leader of Man-
19 churia first -- that is, that it would be all right
20 if he first of all became the foremost leader of
21 Manchuria.

22 Q What did the Kwantung Army, and particularly
23 General HONJO, assume towards this problem?

24 THE MONITOR: What attitude?

25 A They did not, that is, the Kwantung Army

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1 and General HONJO did not feel particularly
2 favorably disposed to the idea of the restoration
3 of the monarchy, but they did not touch upon the
4 idea of -- they did not touch upon the question of
5 Pu-Yi as a leader of Manchuria.

6 Q However, it is said that at that time the
7 political council --

8 THE MONITOR: The Northeastern Administra-
9 tive Council was established. Are you informed?

10 A Yes.

11 Q Will you explain the constitution of it?

12 THE MONITOR: The constitution, that is,
13 the formation of it -- the composition of it?

14 A It was about January, 1932 when there was
15 a joint proposal presented by Yu Chu-ha, Tsang
16 Shih-i and Chao Hsin-Po with respect to the inde-
17 pendence movement which was to the merging of the
18 various -- in connection with the merging of the
19 various independence movements.

20 THE INTERPRETER: Will you repeat the names,
21 Mr. Witness?

22 A (Continuing): However, towards the end
23 of January, however, there was a split in the ranks
24 between Li-Tu and Ting-Chao on the one hand and
25 Hsi Hsia and Yu Shen-cheng on the other hand as well

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1 as the -- which resulted in the fighting in the
2 neighborhood of Harbin and, therefore, this movement,
3 or this meeting was postponed until February. After
4 this incident, towards the middle of February,
5 Ma Chan-sha, Hsi Hsia, Tsang Shih-i and Chang Ching-
6 hui met in Mukden. On the 16th of February these
7 men held a conference at the home of Chao Hsin-Po
8 in Mukden and there created the Northeastern Admini-
9 strative Council.

10 Q Was Yu Chun-han included in that administra-
11 tive council?

12 A No.

13 Q Why was he not included, if you know the
14 reason?

15 THE MONITOR: Do you know why he was not
16 included?

17 A Yes, I do know.

18 Q Please explain briefly.

19 A At that time the conference was confined
20 principally to the leaders of the various provinces
21 who had actual military and administrative control
22 over their respective provinces. Yu Chuan-han did
23 not participate in these conferences because in these
24 respects he had no qualifications and therefore --
25 and also because of his physical -- because he was

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physically ill or unwell.

1 Q What attitude did the Kwantung Army assume
2 towards the Northeastern Administrative Council,
3 if you know?

4 A I know.

5 Q Please state about it briefly.

6 A The Kwantung Army instead of intervening
7 or participating in this council devoted itself
8 to the gathering of information -- requested the
9 administrative council to provide the Kwantung
10 Army with information.

11 Q Was Tang Yu-lin included in the Admini-
12 strative Council at the time?

13 A Tang Yu-lin was not included in the
14 Council, but his name was included among those who
15 participated in the decision of the Council, that
16 is, he agreed to have his name included among
17 those who participated in the decision of the
18 Council.

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Q Were the following -- did the following members close in the entourage of Pu-Yi also participate in the council?

THE MONITOR: Did any of the close followers of Pu-Yi participate in the council?

A No.

Q Why did they not participate?

A This council, as I said before, consisted of the actual leaders who held political and military control in their respective provinces. These were the men who constituted this council, or if not these men their proxies, and also those from Mongolia. As to the close following of Pu-Yi, their line of thinking was that Pu-Yi would come if he had the unanimous support of the thirty million people of Manchuria.

Q Did Japanese also participate in that council?

A No.

Q What was the outcome of the conference of the Northeastern Administrative Council?

A There was unanimity of views with respect to severance of Manchuria from the Nanking Government and the Chang Hsueh-liang Regime. There was also unanimity of views with respect to the establishment of a new state. However, with respect to the national political structure there was a divergence of opinion.

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Q What were these divergence of opinions?

1 A Hsi Hsia and representatives from Mongolia
2 advocated a monarchy, whereas Tsang Shih-i and others
3 advocated a republican form of government.

4 Q What came out of it?

5 A Chang Hin-hui gathered together these various
6 and conflicting opinions and came to Port Arthur with
7 the idea of establishing a regency with a civilian
8 government -- with a democratic form of government
9 under a regency.

10 Q What was the result of his visit to Port
11 Arthur? Do you know?

12 A I know.

13 Q Please explain.

14 Q Pu-Yi's last -- or the Emperor Hsuan Tung's
15 last decision was that the national language shall be
16 Manchurian, that the head of the state shall be a
17 regent, that the era or calendar shall be Tatung, and
18 that the name of the state shall be Manchukuo. As
19 to the national flag of Manchukuo, he decided upon
20 the five-color -- a new five colored banner.

21 Q Had any request been made by the Kwantung
22 Army before Pu-Yi made his decision regarding those
23 matters?

24 A There was no request ever made by HONJO.

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1 Q Mr. Witness, are you aware of the existence
2 of some documents which were sent from Pu-Yi to
3 General HONJO at that time?

4 A Yes.

5 Q Have you ever heard General HONJO read to you
6 those documents?

7 A Yes, there was an explanation of the gist
8 of those documents at a conference of staff officers.

9 Q Please state the gist of those documents as
10 you heard.

11 A Generally speaking the gist was that the
12 Manchurian state would thank the Japanese for what
13 part they had played and that they would entrust the
14 national defense and the preservation of law and order
15 in Manchuria to the Japanese side, but that they would
16 do this under two or three specific conditions.

17 Condition one was that in garrisoning or stationing
18 Japanese troops in Manchuria the expense thereof shall
19 be shared. The second condition was that the Japanese
20 would be asked to superintend and control transporta-
21 tion from the standpoint of national defense. The
22 third condition was that in view of the fact that the
23 principle upon which the Manchukuo state shall be
24 founded was that of harmony among the five races they
25 would ask the Japanese for the recommendation of some

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1 of the officials of the Manchurian Government.

2 Q What steps did General HONJO take with respect
3 to the independence of Manchukuo?

4 A With regards to Manchuo's independence after
5 the establishment of the new state he took a position
6 and policy of cooperation and assistance.

7 Q According to your testimony it seems that the
8 position or the attitude of General HONJO gradually
9 changed. Is that true?

10 A There is no mistake.

11 Q What attitude did the various units or troops
12 take outside of the Kwantung Army headquarters vis-a-
13 vis that program at that time?

14 A The divisional commanders and the various army
15 units in various parts of Manchuria devoted their time --
16 their full time to the preservation of law and order,
17 did not in any way concern themselves with political
18 problems. And General HONJO did not permit these troops
19 in the field in any manner or form to participate in
20 political affairs.

21 Q According to the Lytton Report General TAMON,
22 Divisional Commander TAMON, participated and assisted
23 the independence of the Kirin Province. Do you know
24 anything about it?

25 A When I noticed that in the Japanese text of

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1 the report I was very much astonished.

2 Q Do you know the actual circumstances?

3 A Yes, I do.

4 Q Please relate it.

5 A When Divisional Commander TAMON was dispatched
6 to Kirin in September, 1931, he persuaded Hsi Hsia
7 to return into the Manchurian fold and pledge his
8 allegiance to Manchuria. He persuaded Hsi Hsia and
9 his army to surrender and to return into the Manchurian
10 fold. At the end of September when Hsi Hsia announced
11 the independence of Kirin Province General TAMON was
12 present at the ceremony, and it appears that General
13 TAMON's advice to Hsi Hsia to surrender and his
14 attendance at the independence ceremonies to Kirin
15 Province was misinterpreted and mis-reported as partici-
16 pation in the Kirin Province independence movement.

17 Q What part or what assistance did the Japanese
18 residents in Manchuria give to the various independence
19 movements in various provinces or the founding of the
20 state of Manchukuo?

21 THE MONITOR: Not "or" but "and."

22 A There is some difference depending on the
23 time.

24 Q Do you know anything about the time of --
25 what happened at the time of the founding of the state

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1 of Manchukuo?

2 A After the founding of the state?

3 Q Before; before the founding of the state.

4 THE MONITOR: Up to the time of the founding.

5 A Yes, I am familiar.

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1 Q Please state briefly.

2 A At first some cooperation was given with respect
3 to the maintenance of peace and order in the various
4 districts of Manchuria and assistance to -- in the field
5 of transportation and industry as well as in the maintenance
6 of -- in securing the livelihood of the people -- of the
7 Japanese residents. However, as I have said last week,
8 they did not give any cooperation or assistance whatsoever
9 in the various independence movements in the various
10 provinces of Manchuria. With regard to the various
11 independence movements to which I briefly referred, the
12 Japanese residents in Manchuria did not give any cooper-
13 ation or assistance. From about the end of 1931 there
14 was some Japanese at the invitation and request of the
15 leaders of the various provinces became advisers and
16 cooperated in that capacity, but this was cooperation
17 purely in the administrative field and was not cooperation
18 in any form with respect to the conduct of the independence
19 movement or the establishment of the new state.

20 Q Did any provision in the status of the
21 Japanese take place due to the founding of the State of
22 Manchukuo?

23 THE MONITOR: Wasn't there a change in the
24 status of the Japanese as a result of the founding of the
25 State of Manchukuo?

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1 A Yes, a very important change.

2 Q What were they?

3 A In accordance with the declaration on the
4 founding of the State of Manchukuo and in accordance
5 with the organic law of Manchukuo guaranteeing personal
6 liberty or the rights of individuals, the Japanese
7 residents of Manchuria became citizens of that country.

8 Q How about the Japanese military men?

9 A The Japanese military men and diplomats were
10 outside because of their peculiar functions. The Japanese
11 military men and diplomats representing Japanese organs
12 were excepted from this.

13 THE PRESIDENT: I think that follows of course,
14 Mr. OKAMOTO. You are overdoing this. You are only
15 confirming what is in the Lytton Report. Of course
16 the Japanese soldiers and the Japanese diplomats are out-
17 side of it.

18 MR. T. OKAMOTO: I am sorry, sir.

19 Q I am now referring to the Lytton Report. It
20 says that prior to the 18th of September, 1931, there
21 was an independence movement in Manchuria. Now, Mr.
22 Witness, do you know anything about it? Do you know
23 whether there was any such movement or not?

24 A Yes.

25 Q Do you mean to say then that the Lytton Report

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1 is erroneous in saying that there was no independence
2 movement in Manchuria prior to September 18, 1931?

3 THE MONITOR: Slight correction on the trans-
4 lation of the question before this one: It was not the
5 Lytton Report said such and such, but "I am referring
6 to the Lytton Report, but do you know whether there was
7 or was not an independence movement before September 18,
8 1931?"

9 A It is a mistake to say that there was no independ-
10 ence movement whatsoever before that date.

11 Q Do you know, Mr. Witness, that the Lytton
12 Commission came to Manchuria?

13 A Yes.

14 Q How did you come to know about it?

15 A Yes, I was informed that a League of Nations
16 Commission was coming to Manchuria at the end of 1931.
17 Then I was informed at the end of 1931 that a League of
18 Nations Commission was coming to Manchuria.

19 Q What action did the Kwantung Army take toward
20 this commission -- toward the coming of this commission?

22 A It was the attitude of the Kwantung Army to
23 have the Lytton Commission see and understand the true
24 situation with respect to Japan's military actions in
25 Manchuria since the outbreak of the Incident as well as
the various independence movements without hiding anything.

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1 so that they will be fully -- the Lytton Commission
2 could fully familiarize itself with all the details
3 with respect to military and political developments.

4 Q However, it is said that entry into Manchuria
5 of the Chinese assistant Dr. Wellington Ku was refused.
6 Do you know anything about that?

7 A Yes, I do.

8 Q Please tell us, the Tribunal, the circumstances
9 about the matter.

10 A As far as the Kwantung Army as well as Japanese
11 diplomatic organs of that time was concerned they were
12 not opposed to Wellington Ku's coming into Manchuria.
13 However, as far as the Manchurian side was concerned,
14 particularly those of the Foreign Department of the
15 Manchukuo Government and the leaders of Manchukuo, they
16 were very much -- they very much opposed and disfavored
17 the idea of his coming into Manchuria.

18 Q Do you mean to say that the Kwantung Army was
19 not connected at all with it?

20 A Yes, the Kwantung Army had to concern itself
21 as far as protection was concerned, protection of the
22 person of Wellington Ku, if he should come.

23 Q Since the Inquiry Commission entered Manchuria
24 did you have any occasion to talk with the members of
25 that Commission?

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1 A Yes, I was in attendance at the time conver-
2 sations were held between General HONJO and Lord Lytton.
3 There were also conferences and consultations between
4 members of the Inquiry Commission and staff officers of
5 the Kwantung Army.

6 Q Mr. Witness, you just testified that all necessary
7 materials were provided to the Lytton Commission. Are
8 you correct in that statement -- in making that state-
9 ment?

10 THE MONITOR: Slight correction: Not all
11 necessary materials but all materials, all data.

12 A Yes, I mean to say that the true situation was
13 fully explained to the Lytton Commission.

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1 Q Does that mean that you also told the
2 Lytton Commission everything that you have told --
3 things such as you have testified in this Tribunal?

4 Did you tell to that commission all you
5 have said in this Tribunal?

6 A Yes. My recollection was that everything
7 was explained to the Lytton Commission except what
8 General HONJO had disclosed to his staff officers
9 with regard to purely internal matters or military
10 matters.

11 Q Were you ever requested by that commission
12 to make a testimony?

13 A No.

14 Q Well, then, did you ever talk with that com-
15 mission outside of making the testimony?

16 A No.

17 Q You said a minute ago, witness, that you
18 were in attendance when General HONJO had a talk with
19 Lord Lytton, is that correct?

20 A Definitely.

21 Q Please state what you heard General HONJO
22 say in that interview, briefly.

23 A Then I will state my recollections of that
24 time as briefly as I possibly can. First of all,
25 General HONJO spoke -- told Lord Lytton that the

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1 actions of the Kwantung Army was based purely on the
2 right of self defense. The second point which Gen-
3 eral HONJO spoke about was the special character of
4 Manchuria. Third, General HONJO explained roughly
5 the circumstances and events leading up to the in-
6 dependence of Manchukuo. Fourthly, General HONJO
7 explained that, in order to settle once and for all
8 the various problems and issues in Manchuria, there
9 was no way out except on the basis of the independence
10 of that area through collaboration between Japan and
11 and China, as well as harmony and understanding be-
12 tween the Japanese and the Chinese peoples, in an
13 effort to establish a long range relationship of
14 mutual collaboration and assistance.

15 THE MONITOR: Slight correction.

16 A (Repeated) With the establishment of a
17 new state in Manchukuo, it was General HONJO's sub-
18 mission that in the final analysis the only way to
19 settle the outstanding various problems in that area
20 was by having Japan and Manchukuo hold hands together
21 in bringing about a mutual settlement of these issues
22 and, furthermore, to settle the longstanding issues
23 between Japan and China by mutual collaboration,
24 cooperation and harmonious relations between Japan
25 and China.

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1 THE INTERPRETER: It appears that a complete
2 interpretation or retranslation is necessary:

3 A (Repeated) Together with the establishment
4 of a new state in Manchukuo, it was General HONJO's
5 submission that, in the final analysis, the only
6 way to settle the various long-standing issues be-
7 tween the two countries was through mutual collabora-
8 tion, cooperation and mutual aid between Japan and
9 Manchukuo.

10 Furthermore, General HONJO spoke very candid-
11 ly to Lord Lytton, stating that, in the light of the
12 situation in East Asia, Japan would have to take
13 charge of the national defense of Manchukuo, and
14 also, for the time being at least, that Japan should
15 take charge of the preservation of law and order in
16 Manchukuo.

17 Q Was that General HONJO's personal opinion,
18 or was it views of the Japanese Government?

19 A That was the opinion of HONJO, Commander-
20 in-Chief of the Kwantung Army.

21 Q Were any instructions received from Central
22 Government with respect to that matter?

23 A No.

24 THE PRESIDENT: How much longer will this
25 witness be?

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1 MR. T. OKAMOTO: I am afraid that it will
2 take this afternoon, your Honor.

3 THE PRESIDENT: Well, we may insist upon
4 him giving the rest of his direct examination on
5 affidavit. It is becoming impossible.

6 MR. T. OKAMOTO: Is that the ruling, your
7 Honor?

8 THE PRESIDENT: Go on until a quarter of
9 three, and I will tell you after three what we are
10 going to do.

11 BY MR. T. OKAMOTO (Continued):

12 Q What position did the Kwantung Army take
13 towards the vested rights of Japan in Manchuria?

14 A The view entertained by the Kwantung Army
15 was not only the protection of Japanese interests in
16 Manchuria but also to acquire the friendly dispo-
17 sition of the Manchurian people towards Japan,
18 speaking from an entirely -- considering it from an
19 entirely moral basis.

20 Q Were any complete measures or steps taken
21 with respect to that matter?

22 A Will you make your question clear?

23 Q Were any decisions communicated -- decisions
24 such as decisions taken by the Ministerial Conference
25 in Japan -- Cabinet Conference in Japan and communi-

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1 cated to the Kwantung Army concerning that matter?

2 A Yes. The gist of the cabinet decision
3 given at the time of the independence of Manchukuo,
4 around the middle or the end of March, was trans-
5 mitted.

6 Q Were the contents of the discussion at the
7 cabinet meeting -- at that cabinet meeting ever dis-
8 closed to the meeting of staff officers of the Kwan-
9 tung Army?

10 A Yes. (In response to last question)

11 Q Will you explain the gist of it briefly?

12 A It appears that there were three cabinet
13 meetings. The cabinet decision was divided into
14 three items.

15 Q I shall not ask you questions concerning the
16 details of those decisions in order to save time.
17 However, was the gist of the decision to the effect
18 that Japan was to control -- to hold actually the
19 control of Manchukuo?

20 MR. TAVENNER: If your Honor please, I
21 object to the question on the ground it is grossly
22 leading.

23 THE PRESIDENT: Well, we will have it at
24 length.

25 Let him answer as you intended originally.

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1 Do not lead him, Mr. OKAMOTO. You are not allowed
2 to do so. He was about to give three headings. Let
3 us have all three.

4 Q Will you explain cabinet decisions one by
5 one?

6 A The decision was very long, and I do not
7 recall every word and every phrase.

8 THE PRESIDENT: We will recess for fifteen
9 minutes.

10 (Whereupon, at 1445, a recess was
11 taken until 1500, after which the proceed-
12 ings were resumed as follows:)

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MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. OKAMOTO.

BY MR. T. OKAMOTO (Continuing):

Q Mr. Witness, do you know that there was a
cabinet change in Japan in about May, 1932?

A I do.

Q Who formed the new cabinet?

A The SAITO Cabinet.

Q Who was Foreign Minister in the SAITO Cabinet?

A Count Uchida KOSAI.

Q Did the cabinet change in Japan result in a
change of Japan's policy towards Manchuria?

A Yes.

Q Please state briefly what you know or heard
about it.

A Compared to the preceding cabinet, the new
cabinet's policy vis-a-vis Manchukuo became more
positive, and as a matter of fact, this new cabinet
recognized the State of Manchukuo.

Q Later, did any change in the composition of
the Kwantung Army occur later?

A In August, Commanding General HONJO was
transferred and succeeded by another commanding general.

Q What happened to the chief of staff?

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1 A The former chief of staff, MIYAKE, had
2 already been transferred to another post in April of
3 that year, and his successor as chief of staff,
4 HASHIMOTO, had already been changed and transferred to
5 another post in August.

6 Q What happened to you, Mr. Witness?

7 A I also was transferred.

8 Q Do you know what General HONJO did after
9 having been transferred from Manchuria and coming
10 up to Tokyo?

11 A In the first part of September 1932, General
12 HONJO went to the palace and reported to His Majesty,
13 the Emperor, on military matters.

14 Q Did you accompany the General when he went
15 to the palace to report to the throne?

16 A Yes, I accompanied him at the time he went to
17 the palace.

18 Q Do you know what was said by the Emperor to
19 General HONJO on that occasion?

20 A I heard of the words of His Majesty at the
21 time of a discussion following the formal report on
22 the military matters.

23 Q Please state briefly what you heard.

24 A Roughly, three remarks were made to General
25 HONJO and other general officers and staff officers

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1 who had returned from Manchuria. First was an inquiry
2 from the throne as to the situation in north Manchuria
3 as the result of floods in that area. With respect
4 to this, the actual situation was reported to the
5 Emperor. The second inquiry from the throne was
6 whether or not the people of Manchuria were rejoicing
7 over the fact that a new state had been created.
8 The reply to the inquiry from the throne was that the
9 Manchurian leaders as a whole were very much ardent
10 in their efforts on behalf of the new state, but that
11 a vast majority of the people had not awakened to
12 modern government and politics and, therefore, it was
13 difficult to entertain any prospects; however, that
14 it was a fact in Manchuria that the people in general
15 entertained high hopes because the conditions in
16 Manchuria had improved over the time when the war
17 lords were in control of Manchuria and, therefore,
18 Manchuria, that is, the prospects of Manchuria lied in
19 the future of that state.

20 The third inquiry from the throne was whether
21 the Liu Tiao-kow Incident was a result of a plot on
22 the part of the Kwantung Army in view of rumors to
23 that effect. Commanding General HONJO, in response
24 to that inquiry, emphatically stated that the Kwantung
25 Army and that he, himself, as commander-in-chief, had

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1 not engaged in any plotting whatsoever.

2 Q Later on, what post or positions did you
3 assume?

4 A I was staff officer to the 18th Division at
5 Kurume.

6 Q What was your next post then?

7 A Member of the General Staff Office.

8 Q In what year was it?

9 A That was August 1933.

10 MR. T. OKAMOTO: Your Honor, I now find I
11 missed some points I should have asked continuing the
12 question which I put to the witness before the recess.

13 Q Before the recess, I was asking you about
14 the cabinet decision taken in March 1932, and you
15 have not finished answering that question. Would you
16 continue to answer?

17 THE PRESIDENT: Didn't he say he was not
18 familiar with it?

19 Q Did you, as a staff officer of the Kwantung
20 Army, learn anything of this cabinet decision?

21 A As I have said before, I have forgotten the
22 details of the contents of the decision, but I do
23 remember that the decision was composed of three
24 items, the first of which was measures to be con-
25 sidered by Japan with the formation of a new state

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1 in Manchuria. Second, Japan's external relations.
2 The last point was with respect to the settlement of
3 various detailed matters, such as with respect to
4 Japanese property and interests; that is, the settle-
5 ment of debts and obligations.

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1 Q Did that cabinet decision also include matters
2 relating to the military control by the Kwantung Army
3 of Manchukuo?

4 A I do not think that there were any words
5 to the effect of the Kwantung Army's military control
6 of Manchuria, but there was something -- I do recall
7 that the decision included matters pertaining to
8 national defense and the maintenance of law and order
9 in Manchuria.

10 THE MONITOR: And the Kwantung Army's attitude
11 toward it, or what the attitude should be.

12 Q What did the cabinet's instructions say?

13 A This was not an instruction. The cabinet
14 decision was sent to the Kwantung Army's headquarters
15 as a matter of reference.

16 Q Did the Kwantung Army take any actions on
17 the basis of this decision -- did the Kwantung Army
18 act on the basis of this decision?

19 A There were no special measures taken except
20 the maintenance of peace and order in Manchuria which
21 the Kwantung Army had been doing previously.

22 Q Then, returning to my previous question,
23 you testified that in 1933 you became a member of the
24 general staff. What post did you assume there? What
25 were your duties there?

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A As a member of the Fourth Section of the
1 2d Division of the general staff office my duties
2 included the assembling of intelligence and the formu-
3 lation of publicity plans, and as an officer concur-
4 rently holding a post in the 5th Section of the 2d
5 Division I was an assistant in connection with Man-
6 churian affairs.

Q What were the relations which existed between
Japan and China at the time of the summer of 1933
with respect to the Manchurian problem?

A Around about June of 1933 the Tangku Truce
was concluded between North China and the Manchurian
side, and in July the so-called Dairen Conference
was held in Dairen with representatives from Japan,
Manchuria and North China. As a result of this con-
ference the military strife between North China and
Manchuria was, at least for the time being, brought to
a close, and it was decided that other outstanding
problems hereafter be settled through amicable processes,
and efforts were made wherein old time enemies shall
become friends.

Q Do you know anything about the fact that a
monarchy was established in Manchuria?

A Yes.

Q Please relate what you know about it, what

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1 you became familiar with in your official capacity.

2 A Yes. I am familiar with the atmosphere and
3 conditions of the time because I was an assistant on
4 Manchurian relations at the general staff office.

5 Q Did the Japanese side favor or disfavor the
6 monarchy system in Manchuria?

7 A There was opposition in one section, but
8 most of the people were in favor of the monarchial
9 system -- were not opposed, the majority were not
10 opposed to the monarchy.

11 Q Who expressed opinions opposing it?

12 A There were military men, the public in gen-
13 eral, and a number of statesmen, and political circles --
14 there were voices opposing the monarchy from various
15 circles including military men, private circles as
16 well as political circles.

17 Q What attitude did the general staff itself
18 assume?

19 THE PRESIDENT: Well, we are not concerned.
20 Whether there was a desire for independence may or
21 may not be in issue, but the particular form of govern-
22 ment is not in issue, whether it be a monarchy or
23 something like one, or a republic, is not in issue.

24 MR. T. OKAMOTO: I change to another question.

25 Q Were you later transferred to the War Ministry?

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1 A Yes, in December 1934.

2 Q What were your duties then?

3 A I was chief of the Manchurian section of the
4 Military Affairs Bureau.

5 Q What were the relations which existed between
6 Japan and China at that time, particularly in regard
7 to the Manchurian problem?

8 A As a result, following the Dairen Conference,
9 various problems such as the postal problem, customs,
10 telegraph, and the permission of respective newspaper
11 men to enter their countries, these were amicably
12 settled between 1935 and 1936, and, therefore, at that
13 time there were no particular problems with regard to
14 Manchuria existing between Japan and China.

15 I should like to make a slight correction
16 with regard to dates: There was no outstanding prob-
17 lems in particular up to the spring of 1935.

18 Q Do you mean by that that there arose some
19 outstanding issue in the spring of 1935?

20 A In North China there was an incident involving
21 the Peace Preservation Corps in the vicinity of
22 Yu-tien, and dispute involving Yu Hsueh-chun.

23 Q Mr. Witness, do you know that later on the
24 Japanese Government abolished extra-territoriality
25 in Manchuria?

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1 A Yes, I do.

2 Q What attitude or position did the War Min-
3 istry as a whole take towards it?

4 A I think it was about February 1935 when the
5 War Ministry proposed to the Foreign Ministry that a
6 committee be created in the Foreign Office with
7 regard to the relinquishment of extra-territoriality
8 in Manchuria.

9 In June, 1935, the proposal was carried out and the
10 relinquishment was carried out.

11 Q Did Japan make any statement then?

12 A Yes.

13 Q Please state.

14 A The statement was as follows: the last
15 part of the relinquishment was carried out
16 with respect to the administration of military matters,
17 administration with respect to finance, and adminis-
18 tration with respect to educational matters.

19 Q Are you familiar with any incident which
20 occurred on the 20th of February, 1936?

21 A Yes.

22 Q What were your duties then, Mr. Kitaoka?

23 A I was chief of the Manchurian Section, General
24 Affairs Bureau, War Ministry.

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Q When was the abolishment of the extraterritoriality put into effect or carried out?

A The cabinet decision on the relinquishment of extraterritoriality in Manchukuo was taken in August, 1935 and the first part of it was carried out in June, 1937 and the final carrying out of the decision to relinquish extraterritoriality took place in December, 1937 -- The cabinet decision was taken in June, 1935; the first part of the decision was carried into effect in June, 1936 and the final relinquishment was completed in December, 1937.

Q Did Japan reserve anything at that time?

A Yes.

Q Please explain it.

A The reservations were made when the last part of the relinquishment decision was carried out with respect to the administration of military matters, administration with respect to shrines, and administration with respect to educational matters.

Q Are you familiar with the incident which occurred on the 26th of February, 1936?

A Yes.

Q What were your duties then, Mr. Witness?

A I was chief of the Manchurian Section, General Military Affairs Bureau, War Ministry.

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1 Q Were you connected directly or personally
2 with that incident -- have you had any direct exper-
3 ience with that incident?

4 A Yes.

5 Q Please explain it briefly.

6 A On the morning of the 26th of February, as
7 soon as I learned of the outbreak of the incident,
8 I went to the official residence of the War Ministry
9 in connection with suppressing this uprising.

10 Q What happened then?

11 A After crossing three security lines estab-
12 lished by the rebel army, rebel troops, I finally
13 reached the official residence of the War Minister.
14 There I said, I told these soldiers that they should
15 not engage in such an uprising and while prevailing
16 upon them to abandon their activities I requested to
17 be permitted to see the War Minister. While engaged
18 in a conversation with the Vice-Minister of War
19 FURUSHO one of the rebel troops shot at me -- that is,
20 one of the leaders of the rebel troops shot at me.
21 The shot lodged on my left side -- left temple -- and
22 after the rebel leader shot at me he drew out his
23 sword and started to attack me.

24 Q Please avoid going into details and explain
25 briefly.

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1 A I was taken to the hospital after I had
2 exhortated these soldiers, declaring that the Japanese
3 soldiers should not engage in any action without the
4 order of His Majesty, the Emperor.

5 Q Were you transferred from the War Ministry
6 to the Kwantung Army later on -- were you ever trans-
7 ferred?

8 A Yes.

9 Q When was it?

10 A That was in March, 1939.

11 Q Did you serve in the Kwantung Army in the
12 year 1937? Haven't you ever served in the Kwantung
13 Army in the year 1937?

14 A I was mistaken. That was in March 1937.

15 Q What were your duties then?

16 A At first I was handling Manchurian questions
17 and in December became chief of the 4th section.

18 Q Had the China Incident already started then?

19 A No, it hadn't broken out at the time I
20 arrived at my new post there.

21 Q Since the China affair broke out in July 1937
22 what effect did Manchuria receive from that incident?

23 A It had become a very great obstacle on the
24 construction and development of the State of Manchukuo.

25 Q Please explain; elaborate briefly on the matter

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1 which you think became one of the main obstacles
2 for the development of Manchukuo.

3 A Manchukuo was only five years old at that
4 time after its founding, and it was in the midst of
5 a reform of the administration, both of the central
6 government and the various provincial governments, and
7 it was also in the midst of the five-year industrial
8 plan.

9 Q Mr. Witness, do you know anything about the
10 five-year industrial plan?

11 A Yes.

12 Q When that plan was formulated how much
13 consideration was taken about the Soviet Union?

14 THE MONITOR: How much of it was directed
15 towards the Soviet Union, or how much of Soviet Union
16 was taken into consideration in that plan?

17 A Because of the successive Soviet five-year
18 plans Manchuria felt greatly menaced and felt the
19 necessity of building up its strength in order to
20 meet the situation.

21 Q Do you mean to say that some concrete consid-
22 eration was given with respect to the problem of
23 Soviet Russia?

24 A Rather I should say that it was very small
25 in its scale and the primary emphasis was placed when

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1 the plan was formulated on the development of
2 Manchuria economically and in developing and
3 strengthening the industrial basis of Manchuria.

4 Q Please explain a little more fully about
5 the effect of the outbreak of the China Incident
6 on this plan.

7 A This plan was based upon a budget of no
8 more than 2,004,000,000 yuan and as a result of the
9 outbreak of the China Incident funds and various
10 necessary materials became no longer available to
11 carry out the plan. Especially at Japan's request
12 this plan was expanded but as far as the contents
13 of the plan was concerned, the benefit did not accrue
14 to Manchuria whatsoever because the plan was directed
15 toward assisting the prosecution of the China Incident
16 rather than for the development of Manchuria itself
17 and for this reason the people of Manchuria themselves
18 felt that they were carrying an unnecessary load with
19 regard to this plan; and, furthermore, it became dif-
20 ficult to solicit foreign capital into the development
21 of Manchuria.
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1 Q Mr. Witness, you said that you were
2 chief of the fourth section of the Kwantung Army.
3 Now, what were the relations between this section
4 and the State of Manchukuo?

5 A As a result of the final relinquishment
6 of extraterritorial rights in Manchukuo in December
7 1937 and because of a culmination of Japan's assis-
8 tance in securing the independence of Manchukuo, the
9 Kwantung Army organization was revised, and the
10 fourth section became an extremely small section,
11 its personnel including me and about nine other
12 men, and we were no more than a business organiza-
13 tion, business organ established and maintained for
14 the purpose of liaison work with the Manchurian
15 side.

16 Q You testified awhile ago that the Manchurian
17 five-year plan was modified due to the outbreak of
18 the China Incident. Now does not that mean that the
19 fourth section interfered, that the modification
20 resulted due to the interference by the fourth
21 section of which you are a member?

22 A The Manchukuo people expressed willingness
23 to cooperate with Japan only to a certain extent,
24 but the fourth section had nothing to do with it.

25 THE MONITOR: Slight correction. The

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1 Manchurian side, to a very small extent, offered
2 to cooperate with Japan. However, most of the
3 modification in this five-year plan came from
4 Japan's demand in order to make it possible for
5 her to prosecute her China Incident. Therefore,
6 the fourth section had nothing to do with this.
7

8 Q Through what channels were the Japanese
9 demands communicated; that is, such Japanese
demands communicated?

10 A In Japan proper the decision, first of
11 all, is taken at the Manchurian Affairs Board.
12 This is transmitted by the Minister of War to the
13 Headquarters of the Kwantung Army, and the fourth
14 section transmits this to the General Affairs
15 Board of the Government of Manchukuo.

16 Q Then that means that the duties for the
17 fourth section were only to relay demands coming
18 from the Japanese side?

19 THE MONITOR: Correction. "Only" is
20 omitted. Duties of the fourth section were to
21 transmit the demand from the Japanese side?

22 A Yes.

23 Q Did the Kwantung Army itself ever make
24 any requests to the State of Manchukuo?

25 A Yes.

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Q Please give a concrete example of it.

1 A As far as the Kwantung Army is concerned,
2 it did not issue any orders. It merely suggested
3 or expressed a desire or persuaded through its
4 Commander-in-Chief or the Chief of Staff of
5 the Director General or President of the General
6 Affairs Board.

7 Q Was any measures taken with regard to
8 the stationing of Japanese troops at the time of
9 the relinquishment of the extraterritoriality?

10 A Yes.

11 Q What was it?

12 A Various problems occurred as a result of
13 the relinquishment of extraterritoriality in con-
14 nection with the fact that the State of Manchukuo
15 was independent and in connection with the fact that
16 even in spite of that Japan was stationing troops
17 in that State. Because of that peculiar situation
18 the Kwantung Army had the Foreign Office investigate
19 into possible cases wherein a foreign country
20 stationed its troops in an independent nation, and
21 as a result it was decided that special considera-
22 tion be given so that the State of Manchukuo would
23 be respected.

24 Q Please give a few, a number of concrete

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1 examples.

2 A One example is that in case a Manchurian
3 civilian committed any acts contrary to law against
4 the Kwantung Army his trial and punishment and any
5 measures with respect thereto will be done by the
6 Manchurian civilian government instead of by courts
7 martial; and also, to state another example, in
8 case the Japanese Army required certain material
9 such procurement orders would be made in accordance
10 with Manchukuo laws. In other words, to put it
11 briefly, it was that Japan would, by submitting
12 as much as possible to the laws of the State of
13 Manchukuo, relinquish the exercise of any privileges
14 which the army enjoyed by not exercising the right
15 of extraterritoriality, which an army would enjoy
16 under international law. In respect of that,
17 official documents were exchanged between the
18 Japanese Ambassador Plenipotentiary and the Com-
19 mander in Chief of the Kwantung Army with the Prime
20 Minister of the Manchukuo Government.

21 THE PRESIDENT: That will do for the time
22 being.

23 Who is dealing with the question of the
24 recess on behalf of the defense?

25 The Tribunal is prepared to grant a recess

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1 of seven days from the end of this witness' evi-
2 dence on conditions as follows: That future
3 witnesses for the defense will give evidence on
4 affidavit; and that there will be no further
5 application for recess until June.

6 MR. BROOKS: Your Honor, as to the
7 witnesses, does that apply to witnesses other
8 than Japanese?

9 THE PRESIDENT: It applies to all
10 witnesses because of the need for simultaneous
11 translation, and then to give the Court an
12 opportunity to see what evidence they think should
13 be heard, subject to argument later in court if
14 necessary.

15 MR. BROOKS: Yes, sir.

16 Mr. OKAMOTO is not through with this
17 witness, and I think that after a general discussion
18 of defense counsel we may want to make some observa-
19 tions in the morning, if your Honor please.

20 THE PRESIDENT: We will adjourn until
21 half-past nine tomorrow morning.

22 (Whereupon, at 1600, an adjourn-
23 ment was taken until Tuesday, 25 March 1947,
24 at 0930.)
